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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/777,473	02/06/2001	Ervin F. Johnston		8971

7590 01/16/2007
Ervin F. Johnston
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EXAMINER

KARMIS, STEFANOS

ART UNIT PAPER NUMBER

3691

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/16/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/777,473

Applicant(s)

JOHNSTON, ERVIN F.

Examiner

Stefano Karmis

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 53-83 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 53-83 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. The following communication is in response to Applicant's amendment filed 14 August 2006.

Summary of Claims

2. Claims 1-52 have been cancelled. Claims 53-83 are newly added. Therefore claims 53-83 are under prosecution in this application.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 53-83 are rejected under 35 U.S.C. 102(e) as being anticipated by Remington et al. (hereinafter Remington) U.S. Patent 6,070,150.

Regarding claims 53 and 66, Remington discloses an automated bill paying and sorting apparatus having an access site for electronically receiving, transmitting and processing data wherein the data includes transaction data, bank data and approval data wherein the transaction data contains a plurality of transactions between a debtor and creditors wherein each transaction

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includes identification of the transaction between the debtor and a creditor and the amount due on the transaction, the bank data contains a bank balance of the debtor in a bank account of the debtor as a bank of the debtor and the approval data contains an approved dollar amount approved by the debtor to debit the debtor's bank account and credit the amount due in a transaction, said apparatus comprising:

The access site including:

Means for electronically transmitting a plurality of line items for display on a video screen at a site of the debtor wherein said plurality of line items contain said plurality of transactions with each line item displaying a respective transaction with said identification of the transaction and said amount due thereon and with each line item containing one or more category columns so that the debtor can insert category items in category columns in said plurality of line items (column 11, lines 6-16); and

Means for electronically receiving approved dollar amounts from the debtor, debiting the debtor's bank account by the approved dollar amounts and crediting the amounts due in the transaction by the approved dollar amounts (column 13, lines 21-58).

Claims 54, 58, 61, 63, 67, 69 and 71, wherein the access site further includes: means for displaying a bank account of the debtor on the debtor's video screen (column 13, lines 21-32) and means for debiting the debtor's bank account by the approved dollar amount and for transmitting to the debtor's site for displaying on a video screen a balance in the debtor's bank account after debiting the debtor's bank account by said approved dollar amount (column 15, lines 42-56).

Claims 55, 57, 62, 64, 73, 75, 77, 79, 81 and 83, means for calculating a new balance of amount due in a respective transaction, which is a difference between the amount due in the transaction and the approved dollar amount, and for electronically transmitting the new balance of amount due to the debtor's site for display in a respective line item on the debtor's video screen (column 11, lines 5-15).

Claim 56, 68, 74 and 80, means, responsive to one or more commands by the debtor, for inserting said category items in said category columns; and means responsive to one or more commands by the debtor, for sorting said plurality of line items by said category (column 10, lines 60 thru column 11, line 5 and column 11, lines 16-27).

Claims 59 and 65, wherein the access site further includes an internet server with a web page monitored by an entity (column 7, lines 19-27).

Claims 60, 70, 76 and 83, the access means further including: the means for electronically transmitting further for electronically transmitting each line item with at least first and second category columns so that the debtor can insert at least primary and secondary category items of said category items in said first and second category columns respectively (column 10, lines 60 thru column 11, line 5 and column 11, lines 16-27 and Figure 9);

And the debtor's site including: means, responsive to one or more commands by the debtor, for inserting said primary and secondary category items in the first and second category

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columns in each line item and for displaying on the debtor's video screen said plurality of line items with said primary and secondary category items in each line item; and means, responsive to one or more commands of the debtor, for sorting the line items by selected primary and secondary category items selected by the debtor and displaying on the debtor's video screen the line item by said selected primary and secondary category items (column 10, lines 60 thru column 11, line 5 and column 11, lines 16-27 and Figure 9).

Claims 72 and 78, Remington discloses an apparatus for paying and sorting bills involving a creditor, a debtor and a bank at a creditor site, a debtor site and a bank site respectively comprising:

The creditor's site having stored transaction data which includes a description of a product and/or service purchased by the debtor, a date of purchase of the product and/or service, amount due by the debtor for the purchase and due date of the amount due (column 10, lines 3-15 and column 11, lines 6-16);

Means, at the creditor site, for electronically transmitting the transaction data with the description, date of purchase, amount due and due date displayed as respective columns in a line item on an electronic video screen of the debtor for approval by the debtor (column 10 lines 3-15 and column 11, lines 6-16);

Computing means, at the debtor's site, for receiving the transaction data as said line item on the video screen (column 11, lines 6-16);

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Activation means associated with the computer means and responsive to an approval command by the debtor for indicating approval by the debtor of at least a portion of the amount due (column 13, lines 21-59);

Upon the activation means responding to said approval command, the computer means being responsive to the activation means for electronically transmitting approval data of at least a portion of said amount due to said bank where the debtor has a bank account for paying bills (column 13, lines 21-59);

Means, at the bank's site, for receiving said approval data and debiting said bank account by said at least a portion of the amount due (column 15, lines 42-56 and column 16, lines 56-61);

Means at the creditor's site, for receiving the credit amount data and crediting the debtor's account by said at least a portion of the amount due (column 15, lines 42-56); and

The debtor's computer means also for displaying a plurality of said line items on the debtor's video screen with each line item having one or more category columns so that the debtor can employ the computer means for inserting one or more category items in said one or more category columns (column 10, lines 60 thru column 11, line 5 and column 11, lines 16-27 and Figure 9).

Response to Arguments

5. Applicant's arguments with respect to claims 53-83 have been considered but are moot in view of the new ground(s) of rejection.

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Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

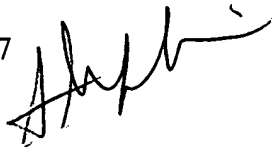
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stefano Karmis whose telephone number is (571) 272-6744. The examiner can normally be reached on M-F: 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alex Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Respectfully Submitted
Stefano Karmis
08 January 2007



HANI M. KAZIMI
PRIMARY EXAMINER